



Government of
The Republic
of Vanuatu



Telecommunication &
Radiocommunication
Regulator

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ORDER 02 OF 2012

REQUIRED INFORMATION FROM LICENSEES

BACKGROUND

This Order requires Licensees to supply information to the Telecommunications and Radiocommunications Regulator (TRR) that is relevant to the exercise of TRR's functions, duties, powers and responsibilities under the Telecommunications and Radiocommunications Regulation Act, 2009 ("the Act") and the Licences for telecommunications service providers.

DEFINITIONS

For the purpose of this Order, the following definitions apply:

1. "Licence" means a License to provide telecommunications services that is in effect as at the date of this Order and that was granted prior to or pursuant to the Act.
2. "Licensee" means any entity or person who holds a Licence.
3. "Licensee providing Telecommunications Services" means any Licensee who at the date of this Order is providing one or more Telecommunications Services to one or more wholesale and/or retail customers in Vanuatu.
4. "Telecommunications Service" has the same meaning as in the Act, and includes services offered or provided using fixed customer terminal equipment.
5. "Draft Terms of Service" has the same meaning, in respect of a Licensee, as in Clause 16.6 of its License.
6. "Terms of Service" has the same meaning as in the Act.
7. "Tariff Information" means, for each Telecommunications Service offered or supplied to one or more retail customers by the Licensee during the period from 1 July 2010 to the date of this Order ("The Period"), the terms and conditions of supply

that were in effect or offered by the Licensee to one or more retail customers for a total of more than 60 days during The Period. "Terms and conditions of supply" include discounted pricing and special offers, packages, or promotions.

ORDERS

Pursuant to Sections 7 and 8 of the Act and TRR's powers under the Licences, Digicel, TVL and all other Licensees providing Telecommunications Services are hereby ordered to provide the following information to TRR by the dates specified below:

1. Within 21 days of this Order, for each Telecommunications Service supplied by the Licensee that uses any radio spectrum:
 - (a) a summary description of the Telecommunications Service, including the spectrum frequency used.
2. Within 21 days of this Order, for each Telecommunications Service proposed to be supplied during the next 12 months by the Licensee using any radio spectrum:
 - (a) a summary description of the Telecommunications Service, including the spectrum frequencies proposed to be used; and
 - (b) the date the Telecommunications Service is proposed to be introduced or launched by the Licensee.
3. Within 30 days of the date of this Order, the Licensee's Tariff Information.
4. For each Radio Station owned by or under the control of the Licensee:
 - (a) Within 21 days of the date of this Order, the geographic location, coordinates, radiated power, frequency assignments and availability of GPRS and/or data services (as set out in the attached Table in Annex 1).
 - (b) Within 90 days of 1 January of each calendar year including and after 2013, the information referred to in subparagraph (a) above.
5. Within 45 days of the date of this Order, for each Licensee that has been designated as a dominant service provider under its License in one or more markets:
 - (a) the Quality of Service Standards implemented by the Licensee for the Telecommunications Services it provides in the markets in which it has been so designated as dominant, or
 - (b) Quality of Service standards the Licensee considers the Regulator should use (under Clause 16.7 of the applicable License) to develop Quality of Service

Standards for the Telecommunications Services the Licensee provides in the markets in which it has been so designated as dominant.

6. The data set out in Annex 2:
 - (a) Within 45 days of the date of this Order, for the January - March 2012 quarter; and
 - (b) Within 20 working days after the end of each subsequent calendar quarter, for that calendar quarter.
7. Within 45 days of the date of this Order, the Licensee's Draft Terms of Service, which are to be thereafter prepared, approved and implemented (as referred to in Clause 16.6 of the applicable License), according to the following Schedule:
 - (a) TRR provides Proposed Changes to Draft Terms of Service within 30 days, otherwise Draft Terms are deemed approved;
 - (b) Comments by Licensee on Proposed Changes within 14 days
 - (c) Final determination by TRR of Terms of Service within 14 days;
 - (d) Implementation by Licensee of Terms of Service within 45 days of TRR approval of draft Terms of Service or determination of final Terms of Service.

This Order came into force on the day it is made.

DATED this 27 day of March 2012.


Alan Horne
Telecommunications and Radiocommunications Regulator

